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**Denise B. Moline, P.C.**

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*Of Counsel*  
*Putbrese, Hunsaker & Trent*

July 14, 1998

**Re:   Petition for Rule Making to Amend  
      The FM Table of Allotments, §73.202(b)  
      Pene Broadcasting Co., Inc.  
      DBMPC #15162**

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**JUL 14 1998**

Magalie Roman Salas, Secretary  
Federal Communications Commission  
1919 M Street, N.W., Room 222  
Washington, D.C. 20554

Federal Communications Commission  
Office of Secretary

Dear Ms. Salas:

On behalf of Pene Broadcasting Co, Inc., (PBCI) Licensee of FM Station KJAE (FM), Leesville, Louisiana, there is transmitted herewith a Petition for Rule Making to substitute Channel 228C3 for Channel 224A at Leesville, Louisiana, so that PBCI may upgrade the facilities of Station KJAE. In compliance with §1.420 of the Commission's Rules, a second Class C3 Channel is proposed for allocation to accommodate potential interested third parties.

Should there be any question regarding the attached Petition for Rule Making, please contact undersigned Counsel for PBCI.

Very truly yours,



Denise B. Moline

DBM:wp  
Attachment

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BEFORE THE  
**FEDERAL COMMUNICATIONS COMMISSION** JUL 14 1998

WASHINGTON, D.C.

Federal Communications Commission  
Office of Secretary

In re: )  
)  
**Amendment of Section 73.202(b)** ) **MM Docket 98 - \_\_\_\_\_**  
**FM Table of Allotments** )  
**FM Broadcast Stations** ) **RM - \_\_\_\_\_**  
**Leesville, LA** )  
)

To: Chief, Allocations Branch  
Policy and Rules Division

**PETITION FOR RULE MAKING**

Pene Broadcasting Company, Inc., ("PBCI") by Counsel, and pursuant to Section 1.401 of the Commission's Rules, hereby respectfully submits its Petition for Rule Making for Amendment of the Commission's FM Table of Allotments, Section 73.202(b), to substitute Channel 228C3 (93.5 MHZ) for Channel 224A (92.7 MHZ) at Leesville, Lousiana.

PBCI is the Licensee of FM Station KJAE (FM), Leesville, Lousiana. KJAE operates on Channel 224A. PBCI wishes to upgrade the service provided by KJAE (FM) to provide better service to its community of license, and to improve and increase its coverage to the communities surrounding Leesville, LA. To that end, PBCI commissioned engineering studies to determine the feasibility of such an upgrade. If the proposed Channel is substituted for Channel 224A, PBCI will file an application for construction permit for operation on the new Channel.

As set forth in the Engineering Statement of Laura Mizrahi of Communications Technologies, Inc. attached hereto, PBCI herein proposes to substitute Channel 228C3 for Channel 224A at Leesville. The proposal complies with the Commission's minimum mileage separation requirements, and will not conflict with other existing operations or pending

applications. If allocated, the upgraded channel will provide city grade service over the entire community of Leesville.

As further set forth in the attached Engineering Statement Channel 224A should be deleted from the Table of Allotments for Leesville, LA consistent with the Commission's current minimum spacing requirements.

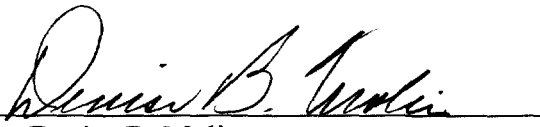
In order to permit PBCI to upgrade to Channel 228C3 without competition, pursuant to Section 1.420(g) of the Rules, Petitioner hereby also proposes allocation of a second Class C3 channel to Leesville, Louisiana, Channel 252C3, to accommodate potential competing expressions of interest, and to provide a second aural outlet for Leesville. Channel 252C3 may be allocated to Leesville, LA in compliance with the Commission's requirements with a site restriction of 14.8 km from the Leesville, LA reference coordinates. Operation from this site will also provide full city-grade coverage to Leesville.

WHEREFORE, the foregoing considered, PBCI respectfully requests that the Commission AMEND its FM Table of Allotments as follows:

<u><b>Community of License</b></u>	<u><b>Channel No. (Present)</b></u>	<u><b>Channel No. (Proposed)</b></u>
Leesville, LA	224A, 289C3	228C3 , 252C3. 289C3

Respectfully submitted

***PENE BROADCASTING Co., INC.***

By:   
Denise B. Moline  
Its Attorney

***Denise B. Moline, P.C.***  
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*July 10, 1998*

**ENGINEERING STATEMENT REGARDING  
PETITION FOR RULEMAKING  
AMENDMENT TO SECTION 73.202(B) OF THE FCC RULES  
TO SUBSTITUTE CHANNEL 228C3  
FOR CHANNEL 224A AT  
LEESVILLE, LOUISIANA**

**JULY 1998**

**ENGINEERING STATEMENT REGARDING  
PETITION FOR RULEMAKING  
AMENDMENT TO SECTION 73.202(B) OF THE FCC RULES  
TO SUBSTITUTE CHANNEL 228C3  
FOR CHANNEL 224A AT  
LEESVILLE, LOUISIANA**

**JULY 1998**

This engineering statement has been prepared on behalf of **Pene Broadcasting Company, Inc.**, licensee of FM broadcast station KJAE ("KJAE"), licensed to Leesville, Louisiana. This statement is in support of a Petition for Rulemaking to amend *Section 73.202(b)* of the Rules and Regulations, to substitute Channel 228C3 for Channel 224A at Leesville, Louisiana.

The proposal would not be in conflict with existing operations, pending applications and the required minimum mileage separations found in *Section 73.207* of the FCC Rules.

Leesville is located in Vernon Parish, Louisiana. The 1990 U.S. Census lists Leesville with a population of 7,638 persons and the population of Vernon Parish at 18,331 persons.

An allocation study has been conducted for the proposed Channel 228C3 operation, utilizing reference coordinates located 6.7 km from the city reference coordinates for Leesville. There are no short spacings from the reference site to existing or proposed allocations. The results of the study are shown on Table I, attached.<sup>1</sup>

In order that Channel 228C3 be reserved for use by KJAE alone, a study was undertaken in order to identify a second equivalent channel which may be allocated to Leesville in this proceeding for possible competing expressions of interest and provide a second aural outlet to that community. It was determined that Channel 252C3 (98.3 MHz) may be allocated to Leesville with a site restriction 14.8 km from the city reference coordinates.<sup>2</sup> The results of this study are shown on Table II, attached.<sup>3</sup>

It is noted that Channel 224A was allocated to Leesville, Louisiana under earlier, 3 kW, Class A distance separation

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<sup>1</sup> The reference coordinates for Channel 228C3 at Leesville are: NL: 31° 11' 29", WL: 93° 14' 35".

<sup>2</sup> The city reference coordinates for Leesville, Louisiana are: N.L.: 31° 08' 14", 93° 16' 29".

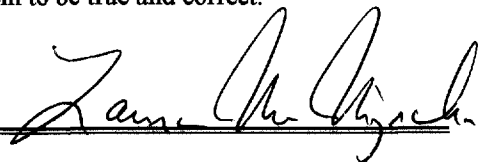
<sup>3</sup> The reference coordinates for Channel 252C3 at Leesville are: N.L.: 31° 15' 56", W.L.: 93° 19' 07".

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standards. The allotment coordinates for Channel 224A are short spaced under 73.207 separation standards and can no longer be utilized. Accordingly, it is anticipated that Channel 224A will be deleted at Leesville in favor of the superior Class C3 allotments proposed herein.

Both sets of Class C3 reference coordinates are within the 23.2 km Class C3 city grade reference distance and, therefore, will provide the requisite 70 dBu coverage of the entire community of Leesville.


The foregoing was prepared on behalf of **Pene Broadcasting Company, Inc.** by Laura M. Mizrahi of *Communications Technologies, Inc.*, Marlton, New Jersey, whose qualifications are a matter of record with the Federal Communications Commission. The statements herein are true and correct of her own knowledge, except such statements made on information and belief, and as to these statements she believes them to be true and correct.

By 

**Laura M. Mizrahi**  
for Communications Technologies, Inc.  
Marlton, New Jersey

**SUBSCRIBED AND SWORN TO** before me,

this 13<sup>th</sup> day of July, 1998,

 NOTARY PUBLIC

**ESTHER G. SPERBECK**  
**NOTARY PUBLIC OF NEW JERSEY**  
**MY COMMISSION EXPIRES OCT. 15, 2002**